

CERTIFICATE UNDER 37 CFR 3.73(b)

Applicant: Gilbert Moineau et al.

Application/Patent No.: 09/830,477 Filed/Issued: October 23, 2000

Confirmation No.: 8162

Entitled: DNS RELAY MODULE IN A DIGITAL NETWORK MODEM

Dialogic Corporation

, a

British Columbia corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university,
government agency, etc.)

certifies that it is the assignee of the entire right, title, and interest in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Gilbert Moineau To: Eicon Technology Corporation

The document was recorded in the Patent and Trademark Office at

Reel _____ Frame _____, _____ or for which a copy thereof is attached.

2. From: Eicon Technology Corporation To: Eicon Networks Corporation

The document was recorded in the Patent and Trademark Office at

Reel _____ Frame _____, _____ or for which a copy thereof is attached.

3. From: Eicon Networks Corporation To: Dialogic Corporation

The document was recorded in the Patent and Trademark Office at

Reel 018367 Frame _____, 0388 or for which a copy thereof is attached.

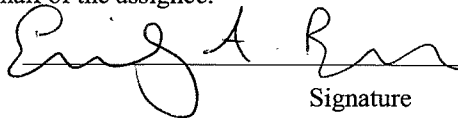
☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned is authorized to act on behalf of the assignee.

October 10, 2007

Date



Signature

Emily A. Berger, Reg. No. 51,459

Typed or Printed Name, Reg. No.

ASSIGNMENT OF INVENTION UNIVERSAL - INVENTOR

WHEREAS, I/We, Gilbert MOINEAU and Jérôme DUPLAIX
 whose full post office address is 3255, Dalbé-Viau, Lachine, Quebec, Canada H8T 3N and 4850
Bellechasse, Montreal, Quebec, Canada H1T 1Z4
 have invented certain improvements "DNS RELAY MODULE IN A DIGITAL NETWORK MODEM"
 and described in
☐ a patent application bearing the same title
☐ a US patent application executed on _____
☒ a PCT patent application serial number PCT/CA99/01012 filed on October 29, 1999
☐ _____ patent number _____ granted on _____

and WHEREAS, EICON TECHNOLOGY CORPORATION
of 9800 Cavendish Blvd., Montreal, Quebec, Canada H4M 2V9

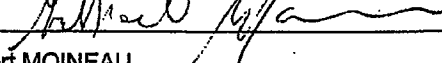
(hereinafter referred to as the assignee), is desirous of securing the entire legal right, title and interest in and to said invention or inventions and in and to any and all patents obtained and to be obtained therefor;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged,

☐ I/We by these presents, do hereby sell, assign and transfer
☒ I/We hereby confirm that effective the date of my/our invention of the said invention or inventions, I/We did sell, assign and transfer, by virtue of an employment agreement or other form of contract or agreement entered into with said assignee prior to making the said invention or inventions,
☐ I/We hereby confirm that effective _____, I/We sold, assigned and transferred
 unto said assignee, its successors and assigns, the entire right, title and interest in and to said invention or inventions, as described in the aforesaid patent or application, in any form or embodiment thereof, and in and to the aforesaid patent or application; and in and to any patents or applications filed in any foreign country based thereon, including the right to file said foreign applications under the provisions of the International Convention; also the entire right, title and interest in and to any and all patents, reissues or extensions thereof to be obtained in this or any foreign country upon said invention or inventions, and any divisional, continuation, continuation-in-part, nonprovisional, substitute application(s) or supplementary disclosure(s) which may be filed upon said invention or inventions, in any country; and I/We hereby authorize and request the issuing authority to issue any and all patents on said application or applications to said assignee.

I/We further agree without any payment by said assignee other than expenses incurred by the undersigned, to communicate to said assignee, its representatives or agents, any facts relating to said invention or inventions, including evidence for interference purposes or for other proceedings, whenever requested; testify in any interference, litigation or other proceedings, whenever requested; and execute and deliver, on request, all lawful papers required to make any of the foregoing provisions effective, and likewise make these provisions binding upon my/our heirs, legal representatives, administrators and assigns.

Le(s) soussigné(s) désire(nt) que la présente cession soit en anglais. The undersigned request(s) that the present assignment be in English.


Place: Montreal Inventor Signature: 
 Date: 25-01-2000 Inventor Name: Gilbert MOINEAU

ASSIGNMENT OF INVENTION
UNIVERSAL - INVENTOR

-2-

Declaration of Witness

I, Bahar Shaker hereby declare that I was personally present and did see Gilbert MOINEAU, who is personally known to me, duly sign and execute the foregoing assignment.


Signature of Witness

Place: _____ Inventor Signature: _____

Date: _____ Inventor Name: Jérôme DUPLAIX

Declaration of Witness

I, _____ hereby declare that I was personally present and did see Jérôme DUPLAIX, who is personally known to me, duly sign and execute the foregoing assignment.

Signature of Witness



JAN 18 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

SWA-0003-US

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PIPER MARBURY
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FEB 01 2002

In re Application of
MOINEAU, et al.
U.S. Application No.: 09/830,477
PCT No.: PCT/CA99/01012
Int. Filing Date: 29 October 1999
Priority Date: 30 October 1998
Attorney Docket No.: SWA-003-US
For: DNS RELAY MODULE IN A DIGITAL
NETWORK MODEM

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DECISION ON PETITION
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UNDER 37 CFR 1.47(a)
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:

This decision is in response to applicant's "Petition Under 37 C.F.R. 1.47(a)" filed 23 October 2001 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 29 October 1999, applicant filed international application PCT/CA99/01012, which claimed priority of an earlier application filed 30 October 1998. A copy of the International Application was forwarded to the United States Patent and Trademark Office (USPTO) from the International Bureau (IB) on 11 May 2000. A Demand for international preliminary examination, in which the United States was elected, was filed on 29 May 2000, prior to the expiration of nineteen months from the priority date. Accordingly, the thirty-month period for paying the basic national fee in the United States expired at midnight on 30 April 2001.

On 27 April 2001, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by the requisite basic national fee as required by 35 U.S.C. 371(c)(1); a copy of the International Search Report and a copy of the International Preliminary Examination Report. An executed oath or declaration was not included.

On 23 May 2001, applicant was mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) informing applicant of the need to provide an executed oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International Application number and international filing date. Applicant prepaid the \$130.00 surcharge for providing an oath or declaration later than thirty months from the priority date. Applicant was given two months to respond and advised that this time period could be extended with a proper petition and payment of fees.

On 23 October 2001, applicant responded with the present petition to accept the present oath or declaration without the signature of joint inventor Jerome DUPLAIX accompanied by a check in the amount of \$590.00 (\$130.00 for the petition fee for a petition under 37 CFR 1.47(a) and \$460.00 as payment for a three-month extension of time); a petition for a three-month extension of time, and a declaration executed by joint inventor Gilbert MOINEAU. With the filing of the petition for a three-month extension of time and payment of fee, applicant's petition is considered to be timely filed.

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(i), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor. With the filing of the present petition and accompanying papers, applicant has satisfied all four items and it is appropriate to grant the petition under 37 CFR 1.47(a).

Regarding item (1), applicant has provided payment of the appropriate petition fee.

As to item (2), applicant has provided first-hand accounts of the attempts to provide Mr. DUPLAIX a complete set of application papers and a declaration for execution, as well as, attempts to locate Mr. DUPLAIX through his last known address and the use of various telephone and on-line directories.

Regarding item (3), applicant has supplied a statement of the last known address of Mr. DUPLAIX.

As to item (4), applicant has a combined declaration and power of attorney executed by joint inventor Gilbert MOINEAU on his own behalf and on behalf of Mr. DUPLAIX.

CONCLUSION

For the reasons above, the petition is GRANTED.

The application has an international filing date of 29 October 1999 under 35 U.S.C. 363, and will be given a date of **23 October 2001** under 35 U.S.C. 371 (c).


As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at her last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the DO/EO/US for processing in accordance with this decision.



Richard Cole
Legal Examiner
PCT Legal Office



Derek A. Putonen
Petitions Attorney
PCT Legal Office
Tel: (703) 305-0130
Fax: (703) 308-6459



Industry Canada

Industrie Canada

TRUE COPY

**Certificate
of Amendment**

**Canada Business
Corporations Act**

**Certificat
de modification**

**Loi canadienne sur
les sociétés par actions**

EICON NETWORKS CORPORATION/

CORPORATION EICON NETWORKS

177604-5

Name of corporation-Dénomination de la société

Corporation number-Numéro de la société

**I hereby certify that the articles of the
above-named corporation were amended:**

**Je certifie que les statuts de la société
susmentionnée ont été modifiés:**

- a) under section 13 of the *Canada Business Corporations Act* in accordance with the attached notice;
- b) under section 27 of the *Canada Business Corporations Act* as set out in the attached articles of amendment designating a series of shares;
- c) under section 179 of the *Canada Business Corporations Act* as set out in the attached articles of amendment;
- d) under section 191 of the *Canada Business Corporations Act* as set out in the attached articles of reorganization;

- ☐ a) en vertu de l'article 13 de la *Loi canadienne sur les sociétés par actions*, conformément à l'avis ci-joint;
- ☐ b) en vertu de l'article 27 de la *Loi canadienne sur les sociétés par actions*, tel qu'il est indiqué dans les clauses modificatrices ci-jointes désignant une série d'actions;
- ☒ c) en vertu de l'article 179 de la *Loi canadienne sur les sociétés par actions*, tel qu'il est indiqué dans les clauses modificatrices ci-jointes;
- ☐ d) en vertu de l'article 191 de la *Loi canadienne sur les sociétés par actions*, tel qu'il est indiqué dans les clauses de réorganisation ci-jointes;

Director - Directeur

January 23, 2001 / le 23 janvier 2001

Date of Amendment - Date de modification

Canada





Industry Canada

Industrie Canada

Canada Business
Corporations ActLoi canadienne sur
les sociétés par actionsFORM 4
ARTICLES OF AMENDMENT
(SECTION 27 OR 177)FORMULE 4
CLAUSES MODIFICATRICES
(ARTICLES 27 OU 177)

1 - Name of corporation - Dénomination de la société EICON TECHNOLOGY CORPORATION CORPORATION TECHNOLOGIES EICON	2 - Corporation No. - N° de la société 177604-5
3 - The articles of the above-named corporation are amended as follows: Les statuts de la société mentionnée ci-dessus sont modifiés de la façon suivante :	

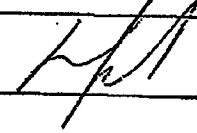
Paragraph 1 thereof is replaced with the following:

**EICON NETWORKS CORPORATION/
CORPORATION EICON NETWORKS**

The following restriction on share transfers is added to paragraph 4 of the articles:

No shares of the share capital of the Corporation shall be transferred without the consent of the directors of the Corporation, evidenced by a resolution passed by them and recorded in the books of the Corporation.

Schedule 2R1 is removed in its entirety and replaced by Schedule 2R2 which is incorporated into this form.

Date January 17, 2001	Signature 	Title - Titre Director
Canada		FOR DEPARTMENTAL USE ONLY - À L'USAGE DU MINISTÈRE SEULEMENT Filed - Déposée

DSG 01/2000